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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/938,387	08/23/2001	Charles P. Norman	ST00015C1	2456
7590 02/18/2005				
THE ECLIPSE GROUP 10453 RAINTREE LANE NORTHRIDGE, CA 91326			EXAMINER PHU, PHUONG M	
			ART UNIT 2631	PAPER NUMBER

DATE MAILED: 02/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/938,387

Applicant(s)

NORMAN, CHARLES P.

Examiner

Phuong Phu

Art Unit

2631

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 23 August 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 112*

1. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

2. Claims 3 and 4 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

Claim 3 recites the limitation “using the signal from the remote location to shift the comb filter to an expected location of the filter lines of the first output”. It is unclear how “the signal”, as a waveform, can shift “the comb filter”, as a hardware element. Based on the illustration in figure 1, the limitation is suggested to be changed to -- using the signal from the remote location to shift the carrier-removed GPS signal to an expected location of the filter lines of the first output--.

Claim 4, as dependent on claim 3, is also rejected with the above reason.

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 3 and 4 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Art Unit: 2631

Claim 3 recites the limitation “the GPS receiver”. This limitation is lack of antecedent basis.

Claim 4, as dependent on claim 3, is also rejected with the above reason.

***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1 and 2 is rejected under 35 U.S.C. 102(b) as being anticipated by MacDoran et al (4,797,677).

-Regarding to claim 1, see figure 3, and col. 5, line 22 to col. 7, line 45, MacDoran et al disclose a system comprising:

a mixer (44) for removing a carrier component of a signal outputted from element (42) (referred to the limitation “the GPS signal”) to form a carrier removed signal;

a comb filter (48, 50, 58, 68, 52, 62, 72) , coupled to the mixer, for filtering the carrier-removed signal and for obtaining a first output comprising filter lines (sine waveforms) outputted from elements (52, 62, 72) (see col. 6, lines 6-44); and

a frequency shifter (54, 64, 74) for shifting the filter lines in the first output to produce an combined output signal (10 KHz, 1KHz, 100 Hz) (referred to the limitation “a compressed GPS signal”) (see col. 6, lines 6-44).

-Regarding to claim 2, MacDoran et al discloses a second frequency shifter ((110, 108, 112) of figure 5, (114, 124, 126) of figure 7, and (136, 134, 138) of figure 9) for shifting the

Art Unit: 2631

combined output signal to produce a second combined signal outputted from element (112, 126, 138) (referred to the limitation “a second compressed GPS signal”) (see col. 7, line 47 to col. 9, line 54).

7. Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Barnard (5,241,561).

-Regarding to claim 1, see figure 3, and col. 5, line 47 to col. 6, line 61, Barnard disclose a system comprising:

a mixer (24, 34) for removing a carrier component of a signal outputted from element (21) (referred to the limitation “the GPS signal”) to form a carrier removed signal;

a comb filter (36), coupled to the mixer, for filtering the carrier-removed signal and for obtaining a first output comprising filter lines (see col. 6, lines 18-24); and

a frequency shifter (40, 42, 44) for shifting the filter lines in the first output to produce an output signal outputted from element (44) (referred to the limitation “a compressed GPS signal”) (see col. 6, lines 24-44).

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phuong Phu whose telephone number is 571-272-3009. The examiner can normally be reached on M-F (6:30-2:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mohammad Ghayour can be reached on 571-272-3021. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2631

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

*Phuong Phu*

Phuong Phu  
02/14/05

**PHUONG PHU**  
**PRIMARY EXAMINER**

Phuong Phu  
Primary Examiner  
Art Unit 2631